

APPEAL NO. 031948
FILED SEPTEMBER 11, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on June 30, 2003. The hearing officer resolved the disputed issue by deciding that the respondent (claimant) sustained a compensable repetitive trauma injury to her bilateral hands and wrists on _____. The appellant (carrier) appealed on sufficiency of the evidence grounds, arguing that the conclusion that there is a causal relationship between the claimant's work and her condition is not supported by the evidence. The claimant responded, urging affirmance.

DECISION

Affirmed.

The claimant, an order entry operator, asserts that she sustained bilateral carpal tunnel syndrome while performing her job duties, which required repetitious use of her wrists and hands. The claimant had the burden to prove that she sustained a repetitive trauma injury as defined by Section 401.011(36). The hearing officer did not err in determining that the claimant sustained a compensable repetitive trauma injury. The issue presented a question of fact for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the trier of fact, the hearing officer resolves the conflicts and inconsistencies in the evidence and decides what facts the evidence has established. Texas Employers Ins. Ass'n v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ). The hearing officer was persuaded that the claimant sustained her burden of proving that she sustained a repetitive trauma injury as a result of performing her job duties with the employer. Nothing in our review of the record reveals that the challenged determination is so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Accordingly, no sound basis exists for us to reverse that determination on appeal. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

The true corporate name of the insurance carrier is **AMERICAN PROTECTION INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY
800 BRAZOS
AUSTIN, TEXAS 78701.**

Margaret L. Turner
Appeals Judge

CONCUR:

Thomas A. Knapp
Appeals Judge

Robert W. Potts
Appeals Judge